

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA**

THERON KENNETH HOLSTON,

Plaintiff,

v.

GARCIA,

Defendant.

No. 2:20-CV-2466-DJC-DMC-P

**ORDER**

Plaintiff, who is proceeding pro se, brings this civil rights action under 42 U.S.C. § 1983. Pending before the Court is Plaintiff's motion, ECF No. 44, for a second referral of this case to the Court's Alternative Dispute Resolution (ADR) program.

A review of the docket reflects that this case was previously referred to the ADR program and Defendants were granted leave to opt-out of the process. Now pending before the Court is Defendants' motion for summary judgment on the merits of Plaintiff's claims. Given the procedural of this case and Defendants' having been previously granted leave to opt out of the

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1 ADR process, Plaintiff's current motion is denied without prejudice to renewal upon joint request  
2 of the parties following resolution of Defendants' motion for summary judgment.

3 IT IS SO ORDERED.

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5 Dated: June 5, 2023

A handwritten signature in dark ink, appearing to read 'Dennis M. Cota', written over a horizontal line.

DENNIS M. COTA  
UNITED STATES MAGISTRATE JUDGE